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RESOLUTION 1092 (1996)

Adopted by the Security Council at its 3728th meeting,
on 23 December 1996

The Security Council,

Welcoming the report of the Secretary-General on the United Nations operation in Cyprus of 10 December 1996 (S/1996/1016 and Add.1),

Welcoming also the report of the Secretary-General on his mission of good offices in Cyprus of 17 December 1996 (S/1996/1055),

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to keep the United Nations Peacekeeping Force in Cyprus (UNFICYP) beyond 31 December 1996,

Reaffirming its earlier relevant resolutions on Cyprus, and in particular resolutions 186 (1964) of 4 March 1964, 939 (1994) of 29 July 1994 and 1062 (1996) of 28 June 1996,

Gravely concerned by the deteriorating situation in Cyprus and by the fact that intercommunal tensions on the island have escalated and, over the last six-month period, violence along the ceasefire lines has reached a level not seen since 1974 as stated in the report of the Secretary-General of 10 December 1996,

Concerned also at the increased use of and threat to use violence against the personnel of UNFICYP,

Noting the beginning of indirect discussions through the UNFICYP Force Commander between the military authorities of both sides on measures aimed at reduction of military tensions,

Reiterating its concern that negotiations on a final political solution have been at an impasse for too long,

1. Decides to extend the mandate of UNFICYP for a further period ending on 30 June 1997;

2. Deplores the violent incidents of 11 and 14 August, 8 September and 15 October 1996, which resulted in the tragic deaths of three Greek Cypriot civilians and one member of the Turkish Cypriot Security Forces, as well as injuries to civilians and UNFICYP personnel, in particular the unnecessary and disproportionate use of force by the Turkish/Turkish Cypriot side, as well as the largely passive role played by the Cypriot police in response to civilian demonstrations;

3. Reminds both sides of their obligation to prevent violence directed against UNFICYP personnel, particularly those involving firearms, which inhibit UNFICYP from carrying out its mandated responsibilities, and demands that they ensure UNFICYP complete freedom of movement and extend their full cooperation to UNFICYP;

4. Emphasizes the need to maintain law and order and, in this context, demands that both parties prevent unauthorized incursions into the buffer zone, and respond immediately and responsibly to any demonstrations which violate the buffer zone and any demonstrations near the buffer zone that might lead to an increase in tensions;

5. Calls upon the parties to accept as a package, without delay or preconditions, the reciprocal measures proposed by UNFICYP, namely: (a) to extend the 1989 unmanning agreement to other areas where the two sides remain in close proximity to each other; (b) to prohibit loaded weapons along the ceasefire lines; and (c) to adopt a code of conduct, based on the concept of minimal force and proportional response, to be followed by troops on both sides along the ceasefire lines, and expresses its disappointment that no progress has been made towards implementing these measures thus far;

6. Further calls upon the military authorities on both sides:

(a) To clear all minefields and booby-trapped areas inside the buffer zone without further delay, as requested by UNFICYP;

(b) To cease military construction in the immediate vicinity of the buffer zone;

(c) To refrain from any military exercises along the buffer zone;

7. Reiterates grave concern about the excessive levels of military forces and armaments in the Republic of Cyprus and the rate at which they are being expanded, upgraded and modernized, including by the introduction of sophisticated weaponry, as well as the lack of progress towards a significant reduction in the number of foreign troops in the Republic of Cyprus, which threaten to raise tensions both on the island and in the region and complicate efforts to negotiate an overall political settlement;

8. Calls again upon all concerned to commit themselves to a reduction in defence spending and a reduction in the number of foreign troops in the Republic of Cyprus to help restore confidence between the parties and as a first step towards the withdrawal of non-Cypriot forces as described in the set of ideas (S/24472, annex), stresses the importance of eventual demilitarization of the

Republic of Cyprus as an objective in the context of an overall comprehensive settlement, and calls upon the Secretary-General to continue to promote efforts in this direction;

9. Expresses continuing concern about military exercises in the region, including overflights in the airspace of Cyprus by military fixed-wing aircraft, which have markedly increased political tension on the island and undermined efforts towards achieving a settlement;

10. Reiterates that the status quo is unacceptable and stresses its support for the Secretary-General's mission of good offices and the importance of the concerted efforts to work with the Secretary-General towards an overall comprehensive settlement;

11. Welcomes the efforts of the Secretary-General's Special Representative, and of those working in support, to prepare the ground for open-ended direct negotiations in the first half of 1997 between the leaders of the two Cypriot communities in order to secure an overall settlement;

12. Calls upon the parties to cooperate with the Special Representative to that end, as well as with his intensified preparatory work in the first months of 1997 with the objective of clarifying the main elements of an overall settlement;

13. Underlines that the success of this process will require the creation of genuine mutual confidence on both sides and the avoidance of actions which increase tension and calls upon the leaders of both communities to create a climate of reconciliation and confidence;

14. Reaffirms its position that a Cyprus settlement must be based on a State of Cyprus with a single sovereignty and international personality and a single citizenship, with its independence and territorial integrity safeguarded, and comprising two politically equal communities as described in the relevant Security Council resolutions, in a bi-communal and bi-zonal federation, and that such a settlement must exclude union in whole or in part with any other country or any form of partition or secession;

15. Welcomes the continuous efforts by UNFICYP to implement its humanitarian mandate in respect of Greek Cypriots and Maronites living in the northern part of the island, and Turkish Cypriots living in the southern part, and regrets that there has been no further progress on the implementation of recommendations arising out of the humanitarian review undertaken by UNFICYP in 1995;

16. Welcomes the continuing efforts of the United Nations and others in the international community to promote bi-communal events, regrets the obstacles which have been placed in the way of such contacts, and strongly urges all concerned, and especially the Turkish Cypriot community leadership, to lift all obstacles to such contacts;

17. Reaffirms that the decision of the European Union concerning the opening of accession negotiations with Cyprus is an important new development that should facilitate an overall settlement;

18. Requests the Secretary-General to keep under review the structure and strength of UNFICYP with a view to its possible restructuring, and to present any new considerations he may have in this regard;

19. Requests the Secretary-General to submit a report by 10 June 1997 on the implementation of this resolution;

20. Decides to remain actively seized of the matter.